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C O N F I D E N T I A L OTTAWA 003058

SIPDIS

E.O. 12958: DECL: 11/12/2009

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SUBJECT: CANADA: DEMARCHE ON SECOND ROUND OF UKRAINIAN ELECTIONS

REF: STATE 240442

Classified By: Minister Political Counselor Brian Flora, reasons 1.4 (b)  
(d)

1. (C) Poloff delivered reftel demarche to FAC Deputy Director for Eastern Europe Habib Massoud and Desk Officer Claude Demers November 12, the latter of whom recently returned from observing the first round of elections in Ukraine. Massoud thanked us for the points and commented that we are generally in synch on the key issues. He did note however, that the GOC is somewhat constrained in how forceful it can be with Ukraine because of the million strong Ukrainian Diaspora living in Canada. The Ukrainian community wants a genuine democratic outcome, but more importantly it does not want Canada to curtail relations with Ukraine regardless of the outcome. He said they are heavily concentrated in the Alberta region, which the PM has identified as a key political target and in fact the Deputy PM, s riding is heavily Ukrainian. When they have an issue, & they don't call me, they call the Minister, 8 he said. This pressure, Massoud said, tends to moderate any response Canada has to electoral irregularities and Canada has generally reached the limits of its forcefulness. Canada has issued several statements in the lead up to the vote and before the elections will issue an OSCE press statement.

2. (C) That said, Massoud expressed that his department is genuinely more optimistic about how the election will turn out. He said they have been surprised there has not been more violence and intimidation and believe there may be an acceptance on the part of many of the elites and oligarchs that Yushchenko is going to win and they will have to work with him. Massoud also wonders if many key supporters of the current regime concede that the government has been so incompetent in its campaign of intimidation that it has simply lost the opportunity to swing the election. They do not want to end up on the wrong side of the new regime. Massoud said he was demarched by the Russians recently, who said their government is prepared to work with either party; he believes they too appear to accept that Yushchenko may be the winner and are starting to make their peace with him.

3. (C) Massoud said his department has considered several scenarios. If Yushchenko wins a clear victory things will be the simplest. A more difficult scenario will be if Yanukovich wins a clean vote after conducting a dirty campaign. This becomes very problematic in terms of how to accept the results. The third scenario is one in which Yanukovich wins, but with a small (5-10 percent) margin which is widely recognized to be roughly the number of stolen votes. In the third scenario, and possibly in the second, Massoud said he is convinced there will be violence in the election, s aftermath.

4. (C) A critical issue for Canada, Massoud added, will be the OSCE mission statements after the vote. They will rely heavily on these statements as a declaration of legitimacy and will use them to defend their position on the outcome. The Government of Canada will be sending 15 long-term and 21 short-term observers for the second round, and in addition three MPs will represent the Parliament and 60 members of the Ukrainian-Canadian Congress will observe as an independent group. Massoud described the official delegation as & huge 8 by Canadian standards. Canada welcomed the news that we would be funding an additional 1,000 observers and urged high standards in terms of training and credentialing of these observers to protect the integrity of the process, which can be diluted when there are less well-qualified observers. Finally, he said they had heard that the U.S. was considering sanctions if the vote is confirmed to be rigged in a Yanukovich victory, and wondered what those sanctions might entail, in addition to the visa blocks referred to in reftel.

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